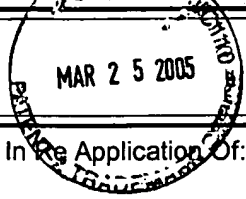
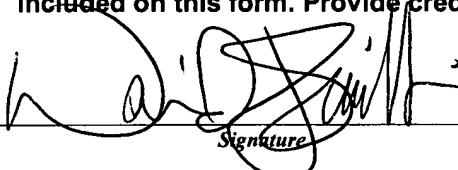
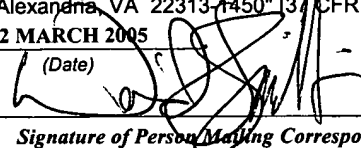
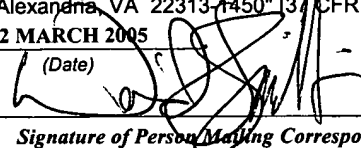
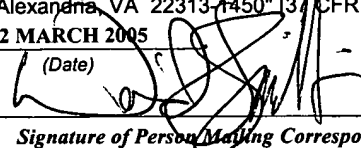


1FW

 TRANSMITTAL LETTER (General - Patent Pending)		Docket No. 21542-092501															
In Re Application Of: Robert H. Haber																	
Application No. 10/644,405	Filing Date 08/19/2003	Examiner Reginald Alexander	Customer No. 28886	Group Art Unit 1761	Confirmation No. 7916												
Title: BAKING ASSEMBLY FOR BATTERED FOOD ITEMS																	
<u>COMMISSIONER FOR PATENTS:</u>																	
Transmitted herewith is: Copy of Notice of Non-Compliant Amendment; Labeled Replacement Sheet for Figure 1; return postcard																	
in the above identified application.																	
<input checked="" type="checkbox"/> No additional fee is required.																	
<input type="checkbox"/> A check in the amount of _____ is attached.																	
<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 50-1759 as described below.																	
<input type="checkbox"/> Charge the amount of _____																	
<input type="checkbox"/> Credit any overpayment.																	
<input checked="" type="checkbox"/> Charge any additional fee required.																	
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.																	
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.																	
 _____ <i>Signature</i>			Dated: March 22, 2005														
David J. Simonelli, Esq. Reg. No. 36,680 Clark Hill PLC 500 Woodward Ave., Suite 3500 Detroit, MI 48226-3435 (313) 965-8667			<table border="1" style="width: 100%; border-collapse: collapse;"><tr><td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</td></tr><tr><td style="text-align: center;">22 MARCH 2005</td><td style="text-align: center;"></td></tr><tr><td colspan="2" style="text-align: center;">(Date)</td></tr><tr><td colspan="2" style="text-align: center;">Signature of Person Mailing Correspondence</td></tr><tr><td colspan="2" style="text-align: center;">David J. Simonelli</td></tr><tr><td colspan="2" style="text-align: center;">Typed or Printed Name of Person Mailing Correspondence</td></tr></table>			I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on		22 MARCH 2005		(Date)		Signature of Person Mailing Correspondence		David J. Simonelli		Typed or Printed Name of Person Mailing Correspondence	
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22 MARCH 2005																	
(Date)																	
Signature of Person Mailing Correspondence																	
David J. Simonelli																	
Typed or Printed Name of Person Mailing Correspondence																	
cc:																	



UNITED STATES PATENT AND TRADEMARK OFFICE

18/644,405
COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 1450
ALEXANDRIA, VA 22313-1450
www.uspto.gov

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 1/31/05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☒ 3. Amendments to the drawings: must be label replacement or new.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/propnotice/officellver.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

R. Holland
Legal Instruments Examiner (LIE)

571-272-1019
Telephone No.